

OC-5273

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General Counsel

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Director of Communications

Personal Liability of Agency Employees Operating Government-owned Vehicles

1. The Engineering Division of the Office of Communications currently has a group of technical personnel engaged in the maintenance of electronic and mechanical devices used by, or under the cognizance of, CIA Activities in the areas noted below:

- a. District of Columbia
- b. Maryland
- c. Virginia
- d. West Virginia
- e. Pennsylvania

2. This technician group operates on an "on-call" basis, being responsible for effecting necessary maintenance twenty-four hours a day, seven days a week. These men are licensed by the Agency to drive Government vehicles, and because of the nature of their duties, several individuals have vehicles assigned directly to them.

3. The recent changes in the District of Columbia Automobile Liability Laws have brought to the fore questions which are of some concern to both this Office and to the Division personnel responsible for the use of Government-owned vehicles on Agency business. Specifically, the questions of most concern are:

a. What personal liability does an Agency employee assume where, operating a Government-owned vehicle in the line of duty, he is involved in an accident resulting in personal and/or property damage?

b. To what extent is an Agency employee required to post a bond, and/or other proof of financial responsibility, in the event that such an employee is involved in an accident resulting in personal or property damage?

c. Where Agency employees are responsible for the operation of Government-owned vehicles in the performance of their duty, are such employees required, or should they be advised, to procure personal insurance to cover any liabilities they may incur as a result of accidents?

4. In those cases where Agency employees are required, or advised, to post personal bonds, or acquire personal liability insurance, to what extent does the Agency bear the costs of such bonds or insurance?

4. It would be appreciated if you would undertake to advise this Office on the above problems, with particular reference to the legal situation applicable in the District of Columbia and the States named.

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